

## Message Text

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ACTION OES-07

INFO OCT-01 ISO-00 AF-10 ARA-10 EA-10 EUR-12 NEA-10  
IO-13 DLOS-09 ACDA-07 COME-00 INT-05 TRSE-00  
NSF-01 CIAE-00 DODE-00 INR-07 NSAE-00 PA-01  
USIA-06 PRS-01 SP-02 L-03 DOTE-00 CG-00 CEQ-01  
OIC-02 SS-15 FEA-01 EPA-01 /135 W  
-----018480 081425Z /41

P R 081259Z OCT 77  
FM AMEMBASSY LONDON  
TO SECSTATE WASHDC PRIORITY 9148  
INFO AMEMBASSY BUENOS AIRES  
AMEMBASSY BRUSSELS  
AMEMBASSY CANBERRA  
AMEMBASSY MOSCOW  
AMEMBASSY OSLO  
AMEMBASSY PRETORIA  
AMEMBASSY PARIS  
AMEMBASSY SANTIAGO  
AMEMBASSY TOKYO  
AMEMBASSY WELLINGTON  
AMEMBASSY WARSAW

C O N F I D E N T I A L SECTION 01 OF 03 LONDON 16817

FROM USDEL ANTARCTIC

E. O. LL652 GDS  
TAGS: XV, TGEN, UK, EMIN, EFIS  
SUBJECT: ANTARCTIC TREATY: RESULTS OF NINTH  
CONSULTATIVE MEETING

REF: LONDON 16580 (NOTAL)

1. BEGIN SUMMARY. THE NINTH ANTARCTIC TREATY CONSULTA-  
TIVE MEETING CONCLUDED ITS THREE WEEK'S WORK ON OCT 7  
WITH THE ADOPTION OF A NUMBER OF RECOMMENDATIONS TO  
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GOVERNMENTS OF THE THIRTEEN CONSULTATIVE PARTIES. MAJOR  
AMONG THE RECOMMENDATIONS WERE TWO, ONE ON MINERAL  
RESOURCES AND ONE ON MARINE LIVING RESOURCES (SEE SEPTELS  
FOR TEXTS), BOTH BEING THE RESULT OF CONSIDERABLE  
ADVANCE IN THE WILLINGNESS OF THE REPRESENTATIVES OF  
CONSULTATIVE PARTIES TO SEEK CONSTRUCTIVE SOLUTIONS TO  
THE PROBLEMS RELATING TO POSSIBLE COMMERCIAL RESOURCE

ACTIVITY. AUSTRALIA OFFERED TO HOST THE SPECIAL CONSULTATIVE MEETING TO PREPARE A DRAFT MARINE LIVING RESOURCE CONSERVATION CONVENTION, AS CALLED FOR IN THE RECOMMENDATION ON THIS SUBJECT. THE MINERAL RESOURCE RECOMMENDATION CONTAINED REFERENCES TO VOLUNTARY RESTRAINT ON RESOURCES ACTIVITY PENDING TIMELY NEGOTIATION OF A RESOURCE REGIME AND THE CONVENING OF A MEETING ON LEGAL/POLITICAL ISSUES INVOLVED WITH POSSIBLE MINERALS ACTIVITY IN THE ANTARCTIC BEFORE THE TENTH CONSULTATIVE MEETING. THE US, AS AUTHORIZED, INVITED THE CONSULTATIVE PARTIES TO HOLD THE TENTH MEETING IN THE UNITED STATES IN CALENDAR 1979. A US PROPOSAL TO INCREASE PUBLIC ACCESS TO INFORMATION ON AND DOCUMENTS OF CONSULTATIVE MEETING MET WITH WEAK SUPPORT AND NO ENTHUSIASM, BUT AGREEMENT THAT THE ISSUE MIGHT BE RECONSIDERED AT THE TENTH MEETING. END SUMMARY.

2. MARINE LIVING RESOURCES:

A. FULL TEXT OF RECOMMENDATION ADOPTED ON LIVING RESOURCES IS BEING TRANSMITTED BY SEPTTEL. IT IS THE PRODUCT OF DETAILED AND DIFFICULT BARGAINING WHICH A NUMBER OF PARTICIPANTS CLEARLY CONSIDERED THE OPENING ROUND OF NEGOTIATIONS ON A REGIME. IT SETS FORTH A SATISFACTORY TIMETABLE FOR CONCLUSION OF A DEFINITIVE REGIME FOR ANTARCTIC MARINE LIVING RESOURCES IN 1978. ALL DELEGATIONS ANTICIPATE THAT QUOTE DECISIVE MEETING UNQUOTE WILL BE DIPLOMATIC CONFERENCE AND FORM OF CONFIDENTIAL

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DEFINITIVE REGIME WILL BE A CONVENTION. INABILITY OF CHILE TO ACCEPT REFERENCE AT THIS TIME TO EITHER CONFERENCE OR CONVENTION RESULTED IN OMISSION OF SPECIFIC REFERENCE TO THEM IN RECOMMENDATION.

B. WITH ACTIVE SUPPORT FROM UK, NORWAY, AND POLAND THE US PUSHED HARD FOR INCLUSION, IN NEXT PHASE OF DISCUSSIONS, OF REGIME OF STATES WITH DIRECT INTERESTS IN ANTARCTIC MARINE LIVING RESOURCES, OTHER THAN CONSULTATIVE PARTIES, AS WELL AS OF APPROPRIATE INTERNATIONAL ORGANIZATIONS. THIS EFFORT ENCOUNTERED MAJORITY VIEW THAT CONSULTATIVE PARTIES MUST REACH UNDERSTANDING

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TO SECSTATE WASHDC PRIORITY 9149  
INFO AMEMBASSY BUENOS AIRES  
AMEMBASSY BRUSSELS  
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ON OUTLINES OF REGIME, AND PARTICULARLY HOW TO DEAL WITH  
DIFFERENCES BETWEEN CLAIMANTS AND NON-CLAIMANTS, BEFORE  
MOVING TO BROADER FORUM. IT IS FOR THIS REASON THAT  
RECOMMENDATION PROVIDES FOR SPECIAL CONSULTATIVE MEETING  
(LIMITED TO THE THIRTEEN TREATY CONSULTATIVE PARTIES) TO  
IN FACT PREPARE DRAFT REGIME. SPECIAL CONSULTATIVE  
MEETING WILL DECIDE ON PARTICIPATION IN QUOTE DECISIVE  
MEETING, UNQUOTE AND WORDING CLEARLY ANTICIPATES  
PARTICIPATION BY STATES OTHER THAN THE THIRTEEN AS WELL  
AS APPROPRIATE INTERNATIONAL ORGANIZATIONS. AUSTRALIA  
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HAS OFFERED TO ACT AS HOST OF THE SPECIAL CONSULTATIVE  
MEETING, PROPOSING THE DATES OF FEBRUARY 27 - MARCH 7, 1977  
C. FORMULATION OF AREA TO BE COVERED, THOUGH  
AWKWARDLY WORDED SETS FORTH PRINCIPLE THAT REGIME SHOULD  
INCLUDE AREAS NORTH AS WELL AS SOUTH OF 60 DEGREES  
SOUTH LATITUDE. THIS POINT HAD BEEN RESISTED BY CHILE  
WHICH INSISTED ON RESERVING POSSIBILITY THAT REGIME  
MIGHT, AT LEAST INITIALLY, CONSIST OF AGREED MEASURES

LIMITED TO ANTARCTIC TREATY AREA.

D. QUESTION OF INTERIM MEASURES ALSO BECAME OBJECT OF TOUGH BARGAINING. AT ONE EXTREME, CHILE PROPOSED EXTREMELY ELABORATE INTERIM MEASURES, PERHAPS TO DEFER NEED FOR DEFINITIVE REGIME. ON OTHER SIDE, POLAND ARGUED THAT IT WAS NOT POSSIBLE TO DEVISE MEANINGFUL INTERIM MEASURES UNTIL DEFINITIVE REGIME HAD BEEN NEGOTIATED IN 1978 (A RATIONAL POINT OF VIEW). DEBATE CENTERED ON EFFORTS, LED BY UK AND FRANCE, TO SECURE ACCEPTANCE OF INTERIM OBLIGATION TO EXCHANGE DETAILED CATCH AND EFFORT STATISTICS ON ANTARCTIC MARINE LIVING RESOURCES. SOVIETS FLATLY REFUSED TO ACCEPT SUCH OBLIGATION, EXCEPT AS PART OF INTERNATIONAL AGREEMENT DULY CONCLUDED AND RATIFIED. WORDING ON INTERIM MEASURES REFLECTS SUCCESSFUL EFFORT TO BRIDGE GAP IN THESE VIEWPOINTS.

E. PROTRACTED DEBATE ON TERMS OF RECOMMENDATION ITSELF PRECLUDED STRUCTURED CONSIDERATION OF THE ELEMENTS OF A DRAFT CONVENTION (AS SUCH). SUCH EXCHANGES WOULD HAVE BEEN VALUABLE FOR NEXT PHASE OF DISCUSSIONS. RECOMMENDATION, HOWEVER, DOES REFLECT US POSITIONS AND OBJECTIVES SET FORTH IN DELEGATION'S INSTRUCTIONS. IN PARTICULAR, COMMITMENT TO TIMETABLE FOR CONCLUDING DEFINITIVE REGIME REPRESENTS FROM OUR POINT OF VIEW IMPORTANT AND SALUTARY PROGRESS.

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### 3. MINERAL RESOURCES.

A. THE TEXT OF THE RECOMMENDATION ADOPTED ON MINERAL RESOURCES IS BEING TRANSMITTED BY SEPTTEL. IT CONTAINS INTER ALIA THE FOLLOWING BASIC OPERATIVE ELEMENTS.

(1) REAFFIRMATION OF BASIC PRINCIPLES OF RECOMMENDATION VIII-L4 ON MINERAL RESOURCES OF PREVIOUS CONSULTATIVE MEETING.

(2) A NOTING AND APPENDING OF REPORT OF GROUP OF EXPERTS ON MINERAL EXPLORATION AND EXPLOITATION (SEE SEPTTEL).

(3) A CALL FOR A MEETING OF EXPERTS TO DEVELOP SCIENTIFIC PROGRAMS ON ENVIRONMENTAL ASPECTS ON MINERAL RESOURCES ACTIVITY.

(4) AN ENDORSEMENT OF THE FOUR PRINCIPLES AGREED LAST SUMMER AT THE PARIS PREPARATORY MEETING COMBINED WITH RECOGNITION OF THE NEED TO DEVELOP ADDITIONAL PRINCIPLES, RULES AND ARRANGEMENTS.

(5) A PROVISION CALLING FOR NON-PREJUDICE OF THE PRINCIPLES SET FORTH IN ARTICLE IV OF THE TREATY;

(6) A CALL FOR A MEETING PRIOR TO THE TENTH CONSULTATIVE MEETING ON POLITICAL/LEGAL ASPECTS OF MINERAL RESOURCE ISSUES;

(7) PLACEMENT OF THE MINERAL RESOURCES ISSUE

ON THE AGENDA OF THE TENTH CONSULTATIVE MEETING; AND

(8) A PROVISION ON RESTRAINT, THE TEXT OF WHICH  
IS SET FORTH IN THE FOLLOWING PARAGRAPH:

QUOTE: THEY URGE THEIR NATIONALS AND OTHER  
STATES TO REFRAIN FROM ALL EXPLORATION AND EXPLOITATION  
OF ANTARCTIC MINERAL RESOURCES WHILE MAKING PROGRESS  
TOWARDS THE TIMELY ADOPTION OF AN AGREED REGIME CONCER-  
NING ANTARCTIC MINERAL RESOURCE ACTIVITIES. THEY WILL  
THUS ENDEAVOR TO ENSURE THAT, PENDING THE TIMELY ADOPTION  
OF AGREED SOLUTIONS PERTAINING TO EXPLORATION AND  
EXPLOITATION OF MINERAL RESOURCES, NO ACTIVITY SHALL BE  
CONDUCTED TO EXPLORE OR EXPLOIT SUCH RESOURCES. THEY  
WILL KEEP THESE MATTERS UNDER CONTINUING EXAMINATION.  
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UNQUOTE.

B. AUSTRALIAN AND SOVIET DELEGATES PUSHED HARD FOR  
A FORMAL MORATORIUM. AUSTRALIA PROPOSED A FIVE-YEAR  
MORATORIUM, WHILE EFFECT OF SOVIET FORMULATION WOULD HAVE

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC PRIORITY 9150

INFO AMEMBASSY BUENOS AIRES

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BEEN INDEFINITE MORATORIUM. FRANCE, UK AND NEW ZEALAND WERE GENERALLY SUPPORTIVE OF VOLUNTARY RESTRAINT POLICY, WHILE OTHER DELEGATES INDICATED VARYING DEGREES OF FLEXIBILITY ON THE ISSUE.

C. DUE TO CROWDED AGENDA, THERE WAS NO TIME TO CONSIDER PRINCIPLES IN ADDITION TO THE FOUR PARIS PRINCIPLES. THUS, DETAILED CONSIDERATION OF US PARAGRAPH ON NON-DISCRIMINATORY AVAILABILITY OF RESOURCES WAS NOT POSSIBLE. THIS PRINCIPLE AND OTHER PRINCIPLES PUT FORWARD BY OTHERS WILL, ACCORDING TO A GENERAL CONFIDENTIAL

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UNDERSTANDING, BE CONSIDERED AT A LATER STAGE. ASIDE FROM THIS, THE RECOMMENDATION APPEARS TO SUBSTANTIALLY MEET OUR OBJECTIVES.

D. AS WITH THE PARIS PREPARATORY MEETING, THERE WAS GENERAL AGREEMENT ON THE NEED TO MOVE WITH DISPATCH TO ELABORATE SOME FORM OF REGIME FOR MINERAL RESOURCES. IN A CHANGE FROM ITS POSITION IN PARIS, JAPAN NOW HAS NOW JOINED IN THIS GENERAL AGREEMENT, BUT THE POSITION OF THE USSR REMAINS UNCLEAR. WHILE CREATING THE IMPRESSION THAT THEY ARE PREPARED TO WORK ON ELABORATING A REGIME, THE SOVIETS CONTINUE TO ARGUE THAT MORE ENVIRONMENTAL INFORMATION IS REQUIRED BEFORE SEEKING TO ELABORATE A REGIME. THE USSR AGREED TO A PREPARATORY MEETING ON LEGAL AND POLITICAL ASPECTS ONLY AFTER THE MOST INTENSE PRESSURE WAS PLACED UPON THEM, AND INSISTED ON REMOVING LANGUAGE INDICATING URGENCY IN ACHIEVING A REGIME.

4. OTHER:

A. MEETING ALSO ADOPTED RECOMMENDATIONS REGARDING COOPERATION IN TRANSPORT AND IMPROVEMENT OF TELECOMMUNICATIONS AND THE COLLECTION AND DISTRIBUTION OF METEOROLOGICAL DATA. BECAUSE OF THE INORDINATE AMOUNT OF TIME CONSUMED BY THE RESOURCE QUESTIONS, A NUMBER OF AGENDA ITEMS RECEIVED ONLY DESULTORY ATTENTION AND SOME WERE REMITTED TO THE TENTH CONSULTATIVE MEETING. AMONG THESE WAS THE US PROPOSAL THAT A SYSTEM BE DEvised TO MAKE MORE CONFERENCE DOCUMENTS AVAILABLE TO THE PUBLIC. WHILE THE US CONCEPT RECEIVED PRAISE FROM

ALL DELEGATIONS, THE PROPOSAL RELEASING MORE DOCUMENTS  
THAN THE FINAL REPORT, CERTAIN WORKING GROUP REPORTS,  
AND RECOMMENDATIONS MET CONSIDERABLE RESISTANCE.

B. THE US OFFER TO ACT AS HOST OF THE TENTH  
CONSULTATIVE MEETING IN 1979 WAS WARMLY WELCOMED,  
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SEVERAL COUNTRIES, INCLUDING THE USSR WHICH SHOULD HAVE  
HOSTED IT, NOTING THE APPROPRIATENESS OF A 20TH ANNIVER-  
SARY MEETING AT THE SITE OF THE SIGNING OF THE 1959  
ANTARCTIC TREATY.

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## Message Attributes

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